

Appl. No. 10/644,286
Atty. Docket No. 9001
Amdt. dated 1/9/2006
Reply to Office Action of 11/15/05
Customer No. 27752

REMARKS/ARGUMENTS

Claims 1, 3, 4, 6-16 and 20 are now under consideration. Claims 2, 5, 6 and 17 have been cancelled without prejudice. Claims 18 and 19 are withdrawn from consideration.

Claim 1 has been amended to recite the presence of the hydrated phosphate builder and to specify that the composition is packaged in a PVA pouch. Basis is found at: original Claim 5; original Claim 17; page 20, line 8 (PVA pouch); and page 6 "Phosphate Builder." Claim 6 now specifies the builder as hydrated STPP. Claim 20 has been amended to depend from Claim 1. It is submitted that all amendments are supported and entry is requested.

Formal Matters

For the record, there are no objections or rejections under §112 outstanding.

Rejections Under 35 USC 102

Claims 1-17 and 20 stand rejected over: U.S. 6,479,448, for reasons of record at pages 3-5 of the Office action; and separately, over U.S. 6,069,122, for reasons of record at pages 5-9 of the Office Action; and, separately, over U.S. 4,740,327, for reasons of record at pages 9-12 of the Office Action; and, separately, over U.S. 2003/0220214, for reasons of record at pages 12-15 of the Office Action.

For the record, there are no rejections under §103.

Applicants respectfully traverse all rejections under §102, to the extent they may apply to the claims as now amended.

The Examiner's thorough exposition of the teachings of the cited documents is acknowledged. This extra effort on the part of the Examiner should speed prosecution by allowing the rebuttal arguments herein to be brief.

The Examiner's attention is directed to the fact that the compositions, as now claimed, comprise a hydrated phosphate builder and are packaged in a PVA pouch.

As discussed at page 8, beginning at line 18, through page 9, line 6, undesirable pouch swelling under humid conditions is minimized by the use of the hydrated phosphate builder.

Page 6 of 8

Appl. No. 10/644,286
Atty. Docket No. 9001
Amdt. dated 1/9/2006
Reply to Office Action of 11/15/05
Customer No. 27752

The '448 document addresses the problem of incorporation of pigments into liquid detergents (column 1, lines 10-30) with pigment spotting on clothes. Liquid detergents are disclosed (column 3, lines 11-20), as is encapsulation in a PVA film (column 11). Indeed, a problem associated with PVA (lactone formation) is identified and is assertedly avoided by use of a stabilizing compound, e.g., an inorganic base. (See column 11, lines 40-60 and column 12, lines 1-30.)

It is submitted that nothing in '448 relates to compositions of the present type comprising hydrated phosphate builders in PVA pouches to minimize pouch swelling. Absent the disclosure of hydrated phosphate builder, it is submitted that '448 cannot support the rejection of the amended claims under §102.

The '122 document relates to dishwashing compositions which comprise diamines. Phosphate builders are mentioned as "less preferred" (column 14, line 30) but hydrated phosphate/PVA pouch combinations are not disclosed. Accordingly, it is submitted that '122 does not support a rejection of the amended claims under §102.

The '327 document does list hydrated NaTPP as a component (column 3, line 61 – column 4, line 5) but does not disclose its use in an "anhydrous liquid gel" packaged in a PVA pouch, as recited in the amended claims herein. Accordingly, withdrawal of the rejections on this basis is requested.

For the record, the 2003/0220214 document is assigned on its face to The Procter & Gamble Company.

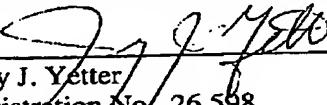
It is noted that, while '0214 lists P-based builders (see [0043] and [0057]), the use of hydrated builders plus the herein-specified liquid gel composition, all packaged in a PVA pouch, is not disclosed in the sense of §102. Withdrawal of the rejections on this basis is therefore requested.

In light of the amendments to the claims and the foregoing arguments, withdrawal of all rejections under §102 and early and favorable action on all amended claims are requested.

Appl. No. 10/644,286
Atty. Docket No. 9001
Amdt. dated 1/9/2006
Reply to Office Action of 11/15/05
Customer No. 27752

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 
Jerry J. Yetter
Registration No. 26,598
(513) 627-2996

Date: January 9, 2006
Customer No. 27752

Page 8 of 8